

**From:** Charles Graham  
**To:** Microsoft ATR  
**Date:** 1/25/02 6:17pm  
**Subject:** Letter to the Justice Department regarding Microsoft Settlement

Dear John Ashcroft,

Attached please find my response to your request for input on the Microsoft settlement. Good Luck.

Sincerely,

Chuck Graham  
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Copied to Sue Myrick - US House Rep.

**CC:** Jesse Helms



January 25, 2002

Attorney General John Ashcroft  
US Department of Justice, 950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:

As a member of the software industry since graduation with a BSCIS and BSBA from Ohio State University since 1984, a Microsoft stockholder and a Microsoft business partner, I find it refreshing to see this ugly chapter of government interference in the fast moving high tech industry coming to a close. Microsoft should be held to the same laws as every other corporation in the land. However, the actual damages to anyone in this case is highly suspect. It appears that this case was brought by a number of companies unable to succeed in the industry without resorting to the courts, and some sympathetic government lawyers eager to hang the Microsoft hide on their wall as a trophy. The issue between Netscape and Microsoft as long since been settled as evidenced by Netscape becoming a Microsoft business partner. Microsoft came up with their own browser, a fairly simple piece of software, rather than buy Netscape licenses for it's thousands of employees. Since the development of the browser was already paid for, they offered the browser as part of their operating system to enhance their Internet presence. I see nothing wrong with this. The general market has flourished well due to the standardization Microsoft provided in operating systems and office suites (Word, Excel, etc.). This country's government should be treating Microsoft as a national treasure. The US government should be approaching Microsoft and asking how we can enhance the development of Microsoft and grow the software industry in the USA as it is one of the few industries with any future in the USA. We are lucky that Bill Gates didn't pack up his company and move it across the border into Canada. Other countries would nurture a wonderful success such as Microsoft, not try to tear it down.

This lawsuit caused the technology bubble to burst and caused more loss in shareholder value for millions of Americans than any other single event in history. If I was a government lawyer, this is not the legacy I would want to leave behind. A legacy in which millions of Americans were robbed of their retirement savings, a legacy of millions of layoffs and company closures. And for what? What did this lawsuit actually accomplish? Even if Microsoft had been broken up, was this a good thing for America? Once again, what could the motives behind this lawsuit be other than a bunch of "has been" sour grapes from companies like Sun Microsystems who got together with a bunch of underpaid government lawyers who want to make a name for themselves and fostered by the Clinton administration who may have been angry with Microsoft for not contributing enough to the Clinton campaign. Isn't there a better use of the justice department's time than this? Isn't there any "real" criminals that you should be focusing on?

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The settlement, three years and three months in the making, is an agreement that fosters competition, increases innovation and ensures that all parties involved will be held accountable. Microsoft has agreed to a series of provisions that go above and beyond the government's original list of grievances. Windows operating system internal computer interface and native server interoperability protocols will be released by Microsoft to its very own competitors – that is uncalled for, but true –and a first. Microsoft will help its competitors compete with it by making it easy for them add and remove software in Windows. This settlement should be the end of this judicial debacle and the final chapter in this unfortunate saga. I strongly urge your office to take no further federal action against Microsoft and encourage the states to follow suit. Thank you.

Sincerely,

Charles Graham  
Vice-President Salem Automation Inc.

C:     Jesse Helms -     NC Senator  
       Sue Myrick   -     NC House Representative